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Chair

Mr. Bryan May

Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities

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● (0850)

[*English*]

The Chair (Mr. Bryan May (Cambridge, Lib.)): I call the meeting to order.

Good morning, everybody.

I have a preamble that I need to go through at the beginning of each of these meetings, so please bear with me.

We are meeting on Bill C-81, An Act to ensure a barrier-free Canada. The objective of today's meeting is to continue the committee's thorough review of the bill.

I would like to take a moment to remind both those participating in the proceedings, as well as those observing the proceedings of the committee in person and on video, that the committee adopted a motion on September 18 that included instructions for the clerk to explore options to allow for full participation of all witnesses and members of the public on this study.

As a result, the committee has made arrangements to make all meetings in relation to the study of Bill C-81 as accessible as possible in a variety of ways. This includes providing sign language interpretation, and near real-time closed captioning in the room. Please note that both American sign language and Quebec sign language are being offered to those in our audience.

For those who would like to watch the American sign language interpretation, please sit in the benches to my left. For those who would like to watch the Quebec sign language interpretation, please sit in the benches to my right.

In addition, please note that the first two rows of benches have been reserved for those who wish to avail themselves of these interpretation services.

Screens displaying the near real-time closed captioning have also been set up, with the English text to my left and the French text to my right. The sign language interpreters in the room are also being videorecorded for the eventual broadcast of the meeting through ParlVu via the committee's website.

In light of these arrangements, the committee would ask that if you need to leave the room during the meeting, please do not walk in front of the sign language interpreters. Instead, please use the extremities of the room.

In addition, we would ask that those in the room remain seated as much as possible during the meeting so that everyone in the audience can clearly see the sign language interpretation.

Finally, if a member of the audience requires assistance at any time, please notify a member of the staff or the committee clerk.

The last meeting was our first meeting with the sign language interpretation. You can tell from my tone and pace that I am trying to slow things down a little bit, so please take your time. I won't be as strict with the timing as usual.

We did have some issues at the first meeting with the interpretation having trouble keeping up with the speed of the speakers. If I get an indication that you do need to slow down, I will do this. I'm not saying to stop; I'm just saying slow down.

I'd like to welcome all of the witnesses here today. We have a very large group, so we'll get right to it.

From the Treasury Board Secretariat, we have Yazmine Laroche, deputy minister, public service accessibility; Alex Benay, chief information officer of the Government of Canada; and Carl Trottier, assistant deputy minister, governance, planning and policy sector, office of the chief human resources officer.

From the Canadian Human Rights Commission, we have Marie-Claude Landry, chief commissioner, and Marcella Daye, senior policy adviser, policy and legal services branch.

From Canada Post Corporation, we have Jessica L. McDonald, chair of the board of directors and interim president and chief executive officer, and Susan Margles, senior vice-president, corporate affairs.

Welcome again to all of you. I believe we are going to start with Yazmine Laroche, deputy minister, public service accessibility, for seven minutes.

● (0855)

Ms. Yazmine Laroche (Deputy Minister, Public Service Accessibility, Treasury Board Secretariat): Good morning, Mr. Chair.

[*Translation*]

Thank you for the invitation to appear before your committee to discuss Bill C-81, An Act to ensure a barrier-free Canada. I am delighted to be here with my colleagues to speak about this bill.

The goal of of Bill C-81 is to vastly improve the quality of life for Canadians with disabilities through the progressive realization of a barrier-free Canada. Currently, barriers to accessibility continue to adversely impact Canadians with disabilities and their families.

[*English*]

The bill, if passed, would require organizations under federal jurisdiction to identify, remove and prevent barriers to accessibility in six key areas: the built environment, employment, information and communications technologies, the procurement of goods and services, the delivery of programs and services, and transportation.

Chief among these organizations is the Government of Canada. As such, the accessible Canada act has the potential to significantly change the way that the federal public service does business and serves Canadians, as well as to improve the lives of federal employees with disabilities. As the largest employer in Canada, the government must lead by example.

Our goal is a simple one: to make the public service of Canada the gold standard of an accessible and inclusive public service.

[*Translation*]

But we have our work cut out for us.

Among the 12,000 respondents to the PSES, the public service employment survey, who self-identified as a person with a disability, too many report facing more challenges in the workplace than those without disabilities.

Public servants with disabilities report higher rates of harassment, feeling emotionally drained after their work day and that their work-related stress is high or very high. They also report being less engaged, less empowered and less respected than people without disabilities.

[*English*]

To address this, Treasury Board is taking action in its capacity as employer of the core public administration.

Today I'd like to briefly outline some of the work that's currently taking place at the secretariat.

As the first-ever deputy minister of public service accessibility, just appointed in August, I have charged my team with developing an overarching strategy and an implementation plan. Our work will be based on consultation with partners and stakeholders that will help the federal public service show leadership in meeting the requirements in the accessible Canada act.

[*Translation*]

My office will act as a hub, providing strategic advice on accessibility issues for all Government of Canada departments and agencies. We will leverage the expertise of partners in other levels of government, as well as both the private and non-profit sectors.

[*English*]

One of the goals set by the Government of Canada is to hire 5,000 new employees with disabilities by 2025. Beyond recruitment, we will also lead initiatives to remove barriers to inclusion and full participation in the workplace, and ensure employees with disabilities can access the adjustments they need in a timely manner.

Our goal is to optimize productivity and maximize every employee's contributions.

● (0900)

[*Translation*]

We will also take an active role in supporting departments and agencies in publicly reporting on their progress through multi-year accessibility plans. In this way, we can be held to account.

While our office is new, much work is already underway thanks to my colleagues, like Carl Trottier, in the office of the chief human resources officer.

This office within TBS has been developing the diversity and inclusion strategy and action plan for the public service, to be launched this fall.

On recruitment, TBS is developing a strategy to address gaps and barriers for equity seeking groups, including persons with disabilities.

One of the components of this strategy will be to examine opportunities to reach Canadians with disabilities, and further understand and address barriers to recruitment, retention and engagement once in the public service.

[*English*]

The secretariat will build on its own experience with successful pilot programs, such as the youth accessibility summer employment opportunity for students with disabilities and its partnership with LiveWorkPlay for people with intellectual disabilities.

The secretariat has identified the need to train and support managers and human resources professionals early in the recruitment process and to provide timely access to services such as the accessibility, accommodations and adaptive computer technology program at Shared Services Canada.

Mr. Chair, allow me to turn to the work now currently being led by my colleague Alex Benay, Canada's chief information officer.

[*Translation*]

In a modern workplace, information and technology are key enablers that support collaboration, innovation and mobility.

However, in today's public service, information and communications technologies are not as accessible as they should be. Many work tools can pose accessibility and usability barriers to employees with disabilities.

To address this, TBS is evolving the current suite of collaboration tools into an open and accessible digital workspace for public servants.

Using modern open-source technology and tools, this workspace will be accessible by design, ensuring that all of our employees can bring their diversity and passion to the table to provide better services to Canadians.

[*English*]

As well, the Government of Canada recently released the digital standards, which include accessibility by design. As the government continues to transition towards digital, a key focus will be keeping user needs, including accessibility, at the forefront of the design of all government services and operations.

[*Translation*]

In closing, let me plainly say that the public service should reflect the diverse nature of the citizens it serves. We know that diverse and inclusive organizations are more creative, innovative and productive.

[*English*]

Our goal is to create a workplace where every federal public servant has what they need to do their very best work so that they can do their best for Canada and for its citizens.

Thank you so much. We'd be pleased to answer any questions.

The Chair: Excellent. Thank you very much.

Now, from the Canadian Human Rights Commission, we have Marie-Claude Landry, chief commissioner, for seven minutes.

Ms. Marie-Claude Landry (Chief Commissioner, Canadian Human Rights Commission): Good morning.

● (0905)

Thank you for inviting the Canadian Human Rights Commission to take part in your study of Bill C-81. With me is Marcella Daye, senior policy adviser at the commission.

The commission is an independent agency of the Canadian Human Rights Tribunal and Canada's human rights watchdog. Bill C-81 is a positive step toward ensuring that everybody can live free from barriers: barriers in the buildings we work in, barriers built into the technology we use, and barriers created by attitudes and stigma that prevent people from contributing fully to society. This bill will improve accessibility, and so we congratulate the government on this very important initiative.

For the CHRC, the bill provides for a new accessibility commissioner and a new accessibility unit. It also designates the CHRC as the monitoring mechanism for the UNCRPD, the UN Convention on the Rights of Persons with Disabilities, and we welcome this designation. The Canadian Human Rights Commission supports this bill, and we urge you to pass it.

I would like to highlight two sets of changes that the CHRC believes will have a positive impact on the success of the bill's implementation.

Our first suggestion is about making sure the legislation begins to work immediately. This comes in two parts.

First, the bill states that the government may choose to put regulations in place. We believe that the legislation should require government to make regulations. It needs more. It needs a kick-start to action. We recommend in subclause 117(1) changing "may" to "shall" and adding the words "which may include" at the end of this subsection. We therefore propose that subclause 117(1) would read as follows: "Subject to sections 118 to 120, the Governor in Council shall make regulations which may include".

Two, we also recommend that the bill require timelines to be set for organizations to meet any standard that is passed into regulation. We propose to add to the end of subclause 117(1)(c) the words, "and timelines for their implementation". With our proposal, subclause 117(1)(c) would read as follows: "establishing standards intended to remove barriers and to improve accessibility in the areas referred to in section 5 and timelines for their implementation".

With these changes, we believe the legislation will inspire and compel concrete action. It will ensure that neither the government nor organizations will be able to let good intentions gather dust, and it will embed accountability.

Our suggestion is about the lack of clarity around the application of this legislation in first nations communities. They are not excluded, but they are also not specifically included. We are concerned that this lack of clarity may lead to a gap in human rights protection for indigenous peoples. This is why we welcome the government's commitment for more robust consultation with first nations, the Inuit and the Métis nation. The commission is familiar with the consequences of excluding a group of people from human rights protections. Prior to 2008, section 67 of the Canadian Human Rights Act excluded persons living on first nations reserves. It was intended as a temporary measure. It remained for 30 years. We must ensure that such a gap does not happen again.

Bill C-81 has the potential to bring about incredibly positive changes for those living with disabilities in first nation communities. We urge the government to work quickly in consultation with first nations towards the effective implementation of the Accessible Canada Act on reserves. Such work must of course take into accounts their rights, unique interests and circumstances. We also encourage the government to provide adequate resources to first nation governments to meet the urgent needs that exist in far too many communities.

On a last note before I conclude, during your review of the bill, you will likely hear many concerns, including those about the very broad exemption powers in the act and the lack of recognition of American sign language and *la langue des signes québécoise*. We believe that concerns of civil society such as these merit consideration by this committee.

The CHRC is committed to putting in place the people, tools, expertise and partnerships needed to play our part in this ambitious legislation. This includes our setting up of working groups with the CTA, the CRTC, the FPSLREB and the Canadian Human Rights Tribunal.

I want to thank you again. Marcella Daye and I look forward to answering your questions.

● (0910)

The Chair: Thank you very much.

Now, from the Canada Post Corporation, we have Jessica L. McDonald, chair of the board of directors, interim president and chief executive officer.

You have seven minutes.

[*Translation*]

Ms. Jessica McDonald (Chair of the Board of Directors and Interim President and Chief Executive Officer, Canada Post Corporation): Thank you.

Hello, everyone.

[*English*]

Thank you, Chair and committee members, for inviting Canada Post to participate in this important discussion on Bill C-81.

My name is Jessica McDonald. As you said, I'm chair of the board of directors. I'm joined today by my colleague, Susan Margles, senior vice-president of corporate affairs. It's a pleasure to be here today and to speak to the committee.

Identifying, removing and preventing physical and non-visible barriers in the workplace and society is an incredibly important issue for our country, but also for Canada Post. We fully support Bill C-81 as proposed and embrace the goals of the legislation.

Canada Post recognizes the significance of this legislation to Canadian citizens, the Government of Canada and parliamentarians, including our minister, who is a champion for accessibility and removing barriers. We also know that as a Crown corporation we can and must always do more in this area. Identifying, removing and preventing barriers is a continuous evolution. Canada Post takes very seriously its obligations under the Canadian Human Rights Act, as well as the Employment Equity Act.

[*Translation*]

We strive to ensure that our services and facilities are accessible to all Canadians. In the next few minutes, I will outline our approach for helping to improve accessibility for our customers and employees.

[*English*]

First, it's important to understand the size and scope of our operations. More than 50,000 people, full- and part-time employees, work for Canada Post, not including our subsidiaries. That makes us one of Canada's largest employers. We have the country's largest retail network, with nearly 6,200 post offices across Canada. Most of these are operated in urban centres, but many are operated out of very diverse locations, such as pharmacies, corner stores, or people's homes.

Often in remote reaches of the country, we've learned from experience that a one-size-fits-all approach doesn't work when it comes to providing services. We deliver to more than 16 million residential and business addresses in every corner of the country. We're proud to partner with small businesses across Canada, and we understand their importance to the Canadian economy.

We recognize the need for our services to be as accessible as possible to help small business owners and customers with disabilities. It's our job to serve Canadians, and we're proud to do so. Because of our size and scope, we're keenly aware of the importance of removing barriers for Canadians with physical and non-visible disabilities. We understand that the nature of disabilities can be as diverse as the people who experience them.

In supporting the legislation, we also know it will take some time to fully grasp how it will affect Canada Post. We're looking forward to better understanding the impacts and the opportunities from Bill C-81. Being a large organization with legacy infrastructure in communities across Canada, we recognize it will require significant effort and resources to make improvements going forward, but we are absolutely committed to respecting the legislation and regulations, once adopted.

As you may recall, the Government of Canada launched a review of Canada Post to better position us for the future. Based on feedback from the public and stakeholders, the government announced a new vision for Canada Post earlier this year. One of those pillars was to enhance our existing accessible delivery program. Canada Post is committed to ensuring that all customers, including seniors and persons with disabilities, have access to their mail and parcels. This specifically includes persons living on first nations reserves. We have a dedicated team in place to respond to each customer's needs on a case-by-case basis and together determine appropriate accommodation options. Again, we know we can do more and improve our processes.

We take our duty to remove barriers and accommodate disabilities and mobility issues very seriously. We're working diligently to ensure that our operations and services respect Canadians' right to dignity, autonomy and privacy, and that everyone has equal opportunity to access our services and compete for a job.

● (0915)

[*Translation*]

In all aspects of our operations, when a situation of inaccessibility is brought to our attention, we take action to address the situation as quickly as possible.

For Canada Post, Bill C-81 is an opportunity to improve accessibility to our services and facilities to meet the needs and expectations of an aging population. The 2016 census showed that for the first time in Canadian history, seniors now outnumber children in Canada. There are now nearly six million seniors in Canada, and by 2031, close to one in four Canadians could be 65 years of age or older. We absolutely recognize the need to adjust our operations accordingly.

We have also been working hard on creating an accessibility advisory panel. This panel will provide ongoing input and be a forum for dialogue that will help us make delivery services more accessible to persons with disabilities and to seniors. We're very delighted that some leading experts and strong advocates with lived experience have agreed to sit on the panel and take on this important role. We expect to announce the accessibility advisory panel very soon.

I wanted to quickly share some of the other services we currently provide that make it easier for people with disabilities to access our postal products and services.

In our retail locations, examples include access ramps, electronic doors, accessible payment devices and the welcoming of service animals.

[*English*]

To support the visually impaired, we provide a literature for the blind service that allows specific items used by blind persons to be mailed for free, such as materials impressed in Braille and sound recordings, such as CDs. For the hearing-impaired, we have a dedicated toll-free TTY customer service line. We also provide instruction to our employees on how to deal with customers with visual or hearing impairments.

We are also committed to making our website accessible to all Canadians. Some of the accessibility features include keyboard shortcut options for navigating without a mouse, an ability to change text size, and quick-access links.

We also have a disability management team. Canada Post provides training for employees on how to accommodate physical and non-visible disabilities in the workplace. Our collective agreements with our unions all address accessibility. We collaborate with unions and have joint decision-making on how to remove barriers. Each union also has a specific committee with Canada Post on respecting human rights.

As a major federal employer, service provider, and procurer of services, Canada Post recognizes that this legislation and its regulations will impact many aspects of our organization going forward. The legislation will require us to identify, remove, and prevent barriers in six key areas identified in the bill.

Recognizing that we have much work to do in this area, I also want to note that Canada Post is in the process of hiring a director of accessibility policy. This is an important step as we work to improve accessibility at Canada Post.

We know that this work will require a lot of resources, but as I mentioned earlier, we welcome this important legislation and we embrace its goals.

● (0920)

[*Translation*]

We hope that our efforts and continued commitment to doing more demonstrate the importance Canada Post places on improving accessibility for our customers and employees.

[*English*]

On behalf of Canada Post, I'd like to thank the committee for inviting us to appear.

We applaud the government and members of the committee for working to remove barriers and improve accessibility for all Canadians through Bill C-81. This is an important conversation, and we are very happy to contribute to it.

Our approach to improving accessibility has evolved over many years and aligns with the goals outlined in the bill. We look forward to further understanding what the legislation will mean for Canada Post going forward.

We would be very happy to take your questions.

Thank you.

The Chair: Thank you very much.

Thank you to all of you. You kept a very good pace. We didn't get any complaints from interpretation, so thank you.

As a reminder before we get into questions, colleagues, please take your time with your questions.

To start off, MP Barlow, go ahead for six minutes.

Mr. John Barlow (Foothills, CPC): Thank you very much, Mr. Chair.

Thanks to all our witnesses for being here this morning. The end of the table is very full. I appreciate your time, certainly.

I'm going to direct a couple of questions. If I direct them to the wrong place, if you don't mind, could you just shuffle them off? I'm not exactly sure how everybody.... Also, you can share.

One of the questions I had, which came up, really, with the minister's presentation on Tuesday, is about the different levels of departments and officials who are going to be overseeing this bill and the implementation of this bill. We have the accessibility commissioner, the Canadian Human Rights Commission, the Canadian accessibility standards development organization, and the United Nations Convention on the Rights of Persons with Disabilities. There seem to be a lot of different layers.

I'm wondering, Ms. Laroche or Ms. Landry, if you can explain to me the hierarchy of this implementation and the long-term overseeing of this legislation. Who's going to be in charge of what?

I think all of us around this table agree that this is the right direction to go, but sometimes more does not help. I'm concerned that there are going to be so many different layers of bureaucracy and departments overseeing this that it's not going to be implemented as efficiently and as quickly as we would certainly like.

Perhaps one of you could explain to me how this is going to work.

Ms. Yazmine Laroche: Why don't I start, and then my colleague will maybe speak a little more about the accessibility commissioner, since that relates more specifically to her?

I can't really speak to the architecture that's in the legislation, because it is Minister Qualtrough and the Department of ESDC who are the policy leads for that and who designed it. However, what I can tell you is that in my own case, in my job, I am not another layer of bureaucracy. We're actually a small, tasked team. We're going to be about 10 people, and our job is to actually help connect some of the dots, because there are so many players involved.

Take a look at the six different pillars that are contained in the legislation. On procurement, well, Treasury Board has a policy responsibility for procurement. On built environment, Treasury Board has a policy responsibility for built environment. It's the same thing with information and communications technologies, but Public Services and Procurement Canada has a huge role to play in the actual procurement and the actual acquisition and management of our built environment. There is by necessity a need for coordination. Part of my job, in terms of helping get the federal public service ready, is making sure that we are working in a coordinated way as we start to develop the strategy, so that we know who's accountable for what, and by when, and what they're expected to do.

That's a bit about how we're going to be organizing.

[*Translation*]

Perhaps Ms. Landry could tell us a bit about the commissioner.

[*English*]

Ms. Marie-Claude Landry: My colleague will start and I will add on.

Ms. Marcella Daye (Senior Policy Advisor, Policy and Legal Services Branch, Canadian Human Rights Commission): Thank you for the question.

What I would say about governance overall is that this is a complex system, but that does not mean it cannot be a very effective system. It is really critical to harmonize the interplay between the United Nations Convention on the Rights of Persons with Disabilities and the domestic charter and human rights provisions, and this bill does that. It takes those three governing statutes and says they should work to complement each other. Then it recognizes the complexity that exists partly in the federal system, which includes the sectoral bodies regulated by the CTA and the CRTC, but it also recognizes that some folks won't be able to reach out to those because they work in the federal public service, for example, or they work in areas that are in private industry and are not governed by those two bodies.

The complexity that you are seeing in the bill is, partially, simply a representation of the complexity in society, but what this bill does do is try to harmonize that complexity. It does so in very specific ways, which our chief commissioner can speak to. It requires us to harmonize all of the complaint systems at the front door and to collaborate on policies and practices.

It also offers very welcomed oversight in the system. Those three layers of international and domestic legislation, governance that recognizes the diversity of sectoral bodies in Canada, and the very appropriate oversight role may at first glance appear as a bureaucracy, but they can actually drive this country to better accessibility because they will be able to lean on each other for their various roles.

I'll let the chief speak on that.

● (0925)

The Chair: You have about 40 seconds.

Ms. Marie-Claude Landry: What I will add is that the commission recognized the technical expertise and the long experience of other sectoral bodies in dealing with their specific and sometimes technical areas of jurisdiction. They are experts in their respective fields. What is important for us as the Canadian Human Rights Commission is the "no wrong door" policy. Human rights should not be exclusive to the Canadian Human Rights Commission. It's something that we should all care about.

The most important thing I would say is that in the bill it's clear that there is a call for co-operation. We've already started this work to make sure we will have this co-operation among us to make sure we will do good for the people who need us, but the most important wording is the "no wrong door" policy.

The Chair: Thank you very much.

Now we have MP Morrissey for six minutes, please.

Mr. Robert Morrissey (Egmont, Lib.): Thank you, Chair.

My question is to Madame Laroche.

You're the first deputy minister appointed with sole responsibility for accessibility. You referenced you had a small team of 10. Could you briefly elaborate on how that's going to allow you the ability to support the whole-of-government approach that this legislation, and the minister in particular, is emphatic will occur?

Ms. Yazmine Laroche: Thank you so much for the question.

I think the goal in creating my job and in setting up my unit is to recognize that you need a small group of individuals who are actually going to help drive that change, but as the commissioner said, it can't be the responsibility of one group or one individual. It requires a big collaborative effort, and you need to mobilize the machinery of government. I'm very fortunate that I have colleagues like the ones at the table, Alex and Carl, and deputy ministers throughout the system who are going to be part of this.

As I mentioned earlier, there are six pillars in the legislation, and there are different departments and organizations throughout the Government of Canada that are responsible for actually delivering on those different pillars. My job and the job of my team is to help build those connections. I really like the hub-and-spoke model. We are a small hub, and it's our mandate and our responsibility to connect to all of the different players in this system, to make sure that we're aware of what they're doing, that we're connecting what they're doing, that we're learning from each other, and that together we're going to build the strategy we have committed to designing for the government.

Mr. Robert Morrissey: Do you think you could do that without Bill C-81? Is Bill C-81 the integral piece that was missing to ensure a whole-of-government approach?

Ms. Yazmine Laroche: Thank you. That's an excellent question.

I think the reason my job has been created is there's a recognition that the Government of Canada needs to show leadership. Certainly Bill C-81 has helped to galvanize and focus the attention. Would we have gotten there anyway? I think we were starting to move in that direction, but having a deadline and knowing that the act is going to be proclaimed, we hope, in the coming year, and being told that we need to have a strategy ready for implementation a year after the date it comes into effect really do help to focus the attention.

Knowing what the act is trying to achieve also helps to focus the attention. Knowing the areas it's going to be looking at allows us to better focus our own efforts and not necessarily go off in a million different directions, so it is helping.

● (0930)

Mr. Robert Morrissey: Again to Madame Laroche, as a member of Parliament, I was disturbed by the comment in your statement that public servants with disabilities suffer higher rates of harassment. How will this legislation begin to correct that?

Ms. Yazmine Laroche: Thank you for the question.

Before I took on this job, I was the deputy minister champion for public servants with disabilities. In fact, I was the first deputy minister with an actual disability to serve as the champion for public servants with disabilities. One of the things I wanted to do when I took on that job was to actually try to understand the status quo.

We now do an annual—it used to be triannual—public service employee survey, and I wanted to understand the data. Carl, my colleague in OCHRO, and his team do an excellent analysis of that, and you can actually disaggregate the data by how people have self-identified. You can do it by gender, by language group and by occupational group, and by people who have self-identified as having a disability.

In successive surveys, we see that people with disabilities report much higher levels of harassment and discrimination than the norm for other public servants. When you try to unpack that a little bit and actually talk to public servants about what could be driving that, one of the key issues is a feeling that the environment isn't designed to support people with disabilities, so whether our buildings are not accessible, whether washroom facilities are not accessible, or whether our technology works for employees....

If it takes you six months to get access to a piece of technology that can actually help you do your job properly, we can understand your response when that annual survey comes around and asks if you feel you've been discriminated against, if you feel harassed. That might help to explain a little bit about that.

In thinking about the strategy we're designing, we're trying to understand how we could change that. Do we need to put a first focus on building a welcoming environment? How do we then track the changes? The good thing is we do annual surveys, because they will allow us to measure our progress and ask whether the actions we're taking are making the difference we need. We're using that data piece to actually help us measure our results.

Thank you.

The Chair: Thank you very much.

Now we'll go over to MP Hardcastle, please, for six minutes.

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): Thank you, Mr. Chair.

As this is my first opportunity to have the floor in the public session today, I'd like to point out that I have Mr. David Yurdiga here today, a member of Parliament, whose private member's business has inspired us to look at definitions of disability, in particular episodic disabilities.

I have tabled a motion that I would like to bring forward at this time, sir.

The Chair: Would you like to read the motion?

Ms. Cheryl Hardcastle: Does somebody have a copy?

I thought you had it, so—

The Chair: We'll distribute it, but do you want to read it into the record?

Ms. Cheryl Hardcastle: Okay; give me one minute.

The Chair: Thank you.

● (0935)

Ms. Cheryl Hardcastle: Thank you for that indulgence. It reads:

> That the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities provide recommendations for legislative and policy changes necessary to ensure that the needs of persons with episodic disabilities caused, among other things, by multiple sclerosis, be adequately protected to ensure equity in government policy to support Canadians across all types of disability; that the Committee report to the House by February 2019; and that it be instructed to request a comprehensive government response to its report, pursuant to Standing Order 109.

The Chair: Thank you.

Go ahead, Mr. Long.

Mr. Wayne Long (Saint John—Rothesay, Lib.): Mr. Chair, I'd like to move that the debate be now adjourned.

The Chair: We don't debate on that.

(Motion agreed to)

The Chair: Ms. Hardcastle, you have three minutes and 55 seconds left for questions.

Ms. Cheryl Hardcastle: Thank you very much, Mr. Chair.

Thank you to the witnesses for indulging our rules of procedure, but it probably has you thinking about definitions. I'd like to hear your thoughts about how the definition in Bill C-81 can be strengthened or how it serves its purpose effectively as it is.

Who would like to go first?

I was very intrigued to hear all of your comments earlier, Ms. Daye, Deputy Minister Laroche, Ms. Landry—

Ms. Jessica McDonald: I'd be happy to go first.

Thank you very much for raising that point.

From my perspective, the spirit and intent of the legislation is the most important thing. From Canada Post's perspective, we recognize that we have a lot of discovery ahead of us in terms of the barriers and the opportunities, to ensure that we're both delivering so that there is full accessibility, as well as being an employer who both embraces and supports people with disabilities. We recognize that includes both visible and non-visible disabilities.

I think the only way that one can truly understand, respond to and support people who need any form of extra support in the workplace or as a customer is by deeply respecting the spirit and intent, which, from my perspective, would be the broadest understanding possible.

Ms. Cheryl Hardcastle: Thank you.

Does anybody else want to weigh in?

Ms. Marie-Claude Landry: Yes. Thank you for your question.

"Temporary or episodic in nature" is already in the definition of this bill.

What is important in our review at the Canadian Human Rights Commission is that every person who suffers from a disability find themselves in the act. This is an important principle, and it's consistent with human rights law, including the decision of the Supreme Court of Canada, which has generally given a broad and liberal approach to the definition of "disability".

That's the most important thing: that people should find themselves in the act.

The Chair: You have one minute.

Ms. Cheryl Hardcastle: Ms. Daye, could you expand a little bit more on how we would harmonize a complaints system at the front door? What do you think we all have to get our heads around? I had a private member's bill regarding that very thing, I thought. Maybe you can talk a little bit more about what our approach should be in order to ensure that there is such a harmonization.

Ms. Marcella Daye: Thank you very much for the question.

There are different options in order to encourage and embed this kind of harmonization so that people who are trying to find the right place to file their complaints find it easily and simply and without a lot of bureaucracy or delay. That is certainly a key concern of stakeholders. We have heard it. The other regulating agencies have heard it.

The bill responds in a specific way, in that it provides us with both the authorities and the requirements to coordinate better. A series of clauses in the bill, starting at clause 122, require all of those organizations that can receive complaints to work together in order to ensure that complaints find their way in a way that does not create additional barriers at the front end. We take that very seriously.

We have actually already met, as our chief commissioner mentioned, with the other five agencies that are involved in complaints processing in order to begin that work. We have established two working groups, one on the compliance side and one on the "no wrong door" policy to develop procedures that will help make that happen.

● (0940)

The Chair: Thank you very much.

MP Long, you have six minutes.

Mr. Wayne Long: Thank you, Chair.

Good morning to our presenters this morning. It was very informative.

I want to focus specifically on timelines. I want to go across the panel. Minister Qualtrough talked about timelines and basically said that one of the issues with timelines is that people will wait until that date and, if anything, they may not be as productive.

Ontario understands its timelines, but what they have done is actually slowed changes down, because, again, businesses wait until that time to implement change. It technically acts as a deterrent. Are you at all concerned that timelines actually make accessibility implementation take longer?

I'll start with you, Ms. Landry.

Ms. Marcella Daye: Timelines are certainly a concern, both from the point of view of people with disabilities who want solutions put in place faster and from the point of view of those regulated bodies that want to be able to meet their obligations in a timely way.

This bill does not have specific dates in it. The amendments we have proposed do not propose specific dates. They do not indicate that Canada should be barrier free by 2030, for example. Part of the reason for this is that constant improvement is required under this bill. It's part of progressive realization. A barrier that does not appear today might appear tomorrow. The target will always be changing, and that's appropriate in Canada, where technology and infrastructure that affect our wide country is developing as quickly as it is.

The timelines that do matter are the timelines to put in place regulations and for organizations to implement those regulations. The two amendments that the Canadian Human Rights Commission has put forward address both of those. Integrating "shall" into the clause requiring government to make regulations will kick-start that timeframe.

What the courts have said, including the Supreme Court in the decision recently this year, is that those time frames need to be reasonable. They cannot be indefinite and they need to move forward.

Mr. Wayne Long: Thank you.

Ms. Laroche, would you comment?

Ms. Yazmine Laroche: Thank you.

As an organization that's going to be subject to the legislation, we're not waiting. We're moving forward now to start to implement some of the changes that we think will make things better for our employees with disabilities.

Alex can maybe speak a little bit about his digital strategy launch and some of the work he's doing on the next generation as well, which is all about accessibility.

Mr. Alex Benay (Chief Information Officer of the Government of Canada, Treasury Board Secretariat): I'd be happy to.

As of April 1, 2018, our new information technology policy requires accessibility by default for new systems bought or developed. We've also issued, as of a few weeks ago, Government of Canada digital standards. The application of these standards will be required for the development of new services to Canadians, where accessibility by default is also not a nice-to-have but a must-have. In a lot of cases, we have started putting in place the rules preemptively around accessibility of systems in the Government of Canada.

Mr. Wayne Long: Thank you.

Ms. McDonald, would you like to comment?

Ms. Jessica McDonald: The words have been taken out of my mouth. We're not waiting. We are already under way. For everything that is in motion today, whether it's a retrofit of our retail operations or any other initiative across the company, we are quickly reviewing, revising and prioritizing accessibility. The accessibility panel, as I say, is imminent in terms of an announcement. We're hiring a director now to review accessibility policy.

● (0945)

Mr. Wayne Long: Thank you very much.

Ms. McDonald, one of the more interesting presenters I've seen in HUMA in my three years was Randy Lewis. He was the vice-president of Walgreens. He talked about how he transformed his distribution centres using people with disabilities as employees. Absenteeism went down. Productivity went up. Turnover went down. He talked about the cultural shift, about how it took a cultural shift.

I mean, we can put legislation in Bill C-81 and bring that forward, but this also takes a cultural shift from the top. I compare Walgreens and their distribution centres to Canada Post and their distribution centres. I want to talk about your delivery programs in a second, but can you talk to how Bill C-81 will transform internally the distribution centres at Canada Post itself? How will Bill C-81 transform that and break down barriers for people with disabilities?

Also, can you talk to what you have done over the past year or two, maybe, to break down those barriers?

The Chair: You have about 45 seconds.

Ms. Jessica McDonald: Thank you.

Thank you for pointing me to that testimony. I'd be very interested. We'll find it and read it. Learning from others is I think one of the first lessons for all of us.

In terms of our distribution centres in particular, I think you were using that as an example, rather than necessarily just the focus—

Mr. Wayne Long: That's right.

Ms. Jessica McDonald: The operations of Canada Post are legacy systems. As well, they're complex in terms of sorting and getting parcels and mail out to customers. We need to and do work very closely with the union in terms of making any alterations to how that works.

One of our most important steps will be working collaboratively in terms of employee suggestions as to how things can work differently, but as well in terms of agreeing on a supportive workplace that more successfully includes people with disabilities and can also work for all.

I have only been at Canada Post since December, so I can't speak to the last two years, but my vice-president, Susan Mangles, could add to this. In the time that I have been here, there has been, as I've said, a tremendous effort, because it is one of the pillars of my mandate letter to address accessibility.

Bringing in and asking for the support of people with lived experience to help us understand the correct changes to ensure that we're delivering in a way that is accessible for all is something that we are 100% focused on. It has been an area of great attention for me since I've been here.

Mr. Wayne Long: Thank you very much.

The Chair: Thank you.

MP Ruimy is next, please.

Mr. Dan Ruimy (Pitt Meadows—Maple Ridge, Lib.): Thanks to all of you for being here today and helping us go through this important piece of legislation.

I'm going to start with you, Ms. Landry. We've been hearing that anywhere from 50% to 60% of the complaints that are being heard are disability complaints. I have a couple of questions on that. Do we have a sense of what those complaints are? Are we tracking this so that we're able to understand how this legislation can impact those complaints?

The Chair: I have a reminder, folks: Keep your pace nice and slow. We have a lot of time.

Ms. Marie-Claude Landry: Yes. Overall at the commission, disability complaints usually make up between 57% and 60% of all the complaints we receive. About half of these are related to accessibility. From 2008 to September 2018, the commission received 4,171 disability-related complaints.

Mr. Dan Ruimy: When we talk about accessibility, do we know if those complaints are about infrastructure or technology?

Ms. Marie-Claude Landry: It could be employment, services, transportation, communications, accessible buildings.

Mr. Dan Ruimy: Is that information available to us? Would we be able to see a breakdown—without intruding on privacy, of course?

● (0950)

Ms. Marcella Daye: We know that 81% of them are related to employment, 18% to services, 8% to the physical environment, 1% to transportation, and just less than a half of one per cent to communications and technology.

Those data that we gather, however, are not as rigorous as we could have in our system. Our system isn't well designed to pull out relevant data that is well connected to the areas outlined under this act, and we look forward to building a more robust system to come back and report in more detail.

Mr. Dan Ruimy: Do you feel that this legislation can and will help to address some of those complaints?

Ms. Marie-Claude Landry: As my colleague mentioned, we need to have the proper tools to report on that specifically, and this is what we are doing. The Canadian Human Rights Commission is working to make sure that we will be able to report on that with the appropriate tools, and for that we need appropriate funds and appropriate resources.

Mr. Dan Ruimy: Thank you.

Ms. Marie-Claude Landry: The funds at the Canadian Human Rights Commission have not been increased for 14 years, and that's a challenge we're working on.

Mr. Dan Ruimy: Okay. Thank you.

Do you want to add something?

Ms. Marcella Daye: I would.

We don't know the impact of this bill on that portion of our complaints that deal with accessibility. Our first instinct might be to say that because accessibility will be dealt with more proactively, those complaints might go down, but the very wide consultation process and the engagement of people with disabilities in this country may counteract that intuitive guess. People with disabilities in this country are very engaged, and they may bring more complaints to us because of a growth in awareness.

Mr. Dan Ruimy: Thank you for getting that on the record.

Ms. McDonald from Canada Post, from what we just heard, you have 50,000 employees. I can't imagine how you begin to try to move forward. Could you quickly tell us? You are being proactive already, and from your testimony, you're saying that you're trying to address a lot of these issues. How do you see this moving forward?

Specifically, we talked a little about timelines, but the timelines were for when we implement the legislation or the regulations. How do you see implementing what those regulations could be and how would they apply to your organization?

Ms. Jessica McDonald: As I said in my opening remarks, we have a tremendous amount of work to do. Stated another way, we have a tremendous amount of opportunity in this area.

As you say, with 50,000 employees, we have a great representation of people with challenges at work. The legislation in its intent addresses what I will call—as a civilian, not a professional expert in this area—mental health issues and non-visible disabilities.

Think about the diversity of challenges that people may have in the workplace and about how the workplace can contribute to those, about the more standard way in which some people may look at disabilities in the workplace, and about addressing the physical disabilities, an area where we also do put attention but can put more attention. There's just a tremendous diversity of understanding that we need to gain inside the organization about how we can better support employees in a very demanding field of work.

As you may be aware, we have tremendous change happening in terms of what it means to be a delivery company that had been focused on letter mail and is now on parcels. When it comes to either physical or non-visible challenges, there's a lot more we need to understand so that we build future systems in a supportive way for employees.

That is where there is a tremendous amount of collaborative work needed with our employees. In order to bring out the discussion properly, it's my view that we need better processes of talking with our employees and understanding how they feel today. Introducing employee surveys, for example, is something that we need to do more of. Changing the language inside the organization in terms of how we refer to disabilities and how we respect people's challenges is another area.

People with disabilities are under-represented in our workforce. We need to understand if we have exhausted the efforts of ensuring that we provide appropriate accommodations, but we must also appear to be a welcoming employer for people who could be very productive employees and great contributors if they were supported in the right way.

Obviously, this is a very broad question. When I talk about our physical infrastructure, we have a tremendous amount of work to do there. When we talk about the organization itself—its culture, its processes, its understanding of its employees, and its employees' level of confidence that the workplace is supportive and will adapt—that's also an area where we have a tremendous amount of work to do.

The key for me as interim CEO is the immediate hiring, which is under way, of a director of accessibility policy. That's key for us in terms of having a champion and somebody with the responsibility to drive all of this forward and ensure that we're not missing any opportunities and can report back on very specific progress.

● (0955)

The Chair: Thank you very much.

MP Falk is next.

Mrs. Rosemarie Falk (Battlefords—Lloydminster, CPC): Wonderful. Thank you, Chair.

I want to thank you all for being here and sharing your experience about what's currently going on.

My first question is for the Human Rights Commission.

In Bill C-81, the accessibility commissioner is responsible for compliance and enforcement activities. How does the role of the accessibility commissioner differ from the current powers of the human rights commissioner?

Ms. Marie-Claude Landry: The accessibility commissioner will have the specific mandate to audit and to receive complaints. There will be a specific mandate.

I have a broad mandate to receive applications and complaints and to do promotion and education under the Canadian Human Rights Act. The accessibility commissioner will be specifically focused on the accessibility act, with the specific mandate he or she receives through the act.

Mrs. Rosemarie Falk: Thank you.

The legislation provides the accessibility commissioner with the powers to enter a place to verify compliance and to prevent non-compliance. This is a very broad power. Is there a risk that the proposed compliance mechanisms would infringe on the freedoms that are guaranteed in the Canadian Charter of Rights and Freedoms?

Ms. Marcella Daye: Could you be a bit more specific about which freedoms you might be thinking would be infringed?

Mrs. Rosemarie Falk: With the "power to enter", in clause 73: :

> Subject to subsection (7), the Accessibility Commissioner may, for a purpose related to verifying compliance or preventing non-compliance with any of sections 47 to 49, 56 to 58, 65 to 67 and 69 to 71 or any provision of regulations made under subsection 117(1), enter any place, including a conveyance, in which he or she has reasonable grounds to believe there is any record, report, electronic data or other document, or any information or thing, relevant to that purpose.

I'm interested in the process. Are we going to see the accessibility commissioner going into places, taking data, or doing whatever could happen? I'm interested in the process, and whether the process would infringe on a person's charter rights and freedoms.

Ms. Marcella Daye: I'm not a lawyer, so I don't think I can answer that question completely, but I can give you my brief insights.

First of all, the characterization of that body of activity is more akin to an auditor, who would be more likely to make an appointment to come into an organization and be guided partly by communications with that organization in order to gather information. I'd say it's less a SWAT team and more an inspector.

Those kinds of powers are not unusual. Health inspectors or building code inspectors have those powers, and where they are legal and appropriate and they meet the mandate of the legislation, they are generally permissible. Does that help?

● (1000)

Mrs. Rosemarie Falk: Thank you.

My next question, I believe, will be for Canada Post.

I live in a rural community. I know that you mentioned this in your remarks, that services can't.... It's not a one-size-fits-all approach for different services. In many rural and remote communities, local businesses are authorized dealers for Canada Post. Will these businesses be required to comply with the accessibility standards established through Bill C-81? I'm talking about those small towns of about 400 people or fewer. Will these costs associated with complying, if there are costs to these standards, be the responsibility of the local business?

Ms. Jessica McDonald: In both rural and urban areas, we do partner with small businesses. I can appreciate that in rural areas these may be smaller operations. In terms of accessibility at facilities that we partner with but do not own, our contracts actually specify already that the facilities must comply with the legislation, and that the Canadian Human Rights Act and any associated CSA standard must apply. This is in our existing legislation.

We'll need to work in a very supportive way with outlets, and particularly with smaller ones, so that they understand what that means in practice. Absolutely, to answer your question, it does extend.

Mrs. Rosemarie Falk: Thank you.

Has there been a cost analysis done to determine the estimated costs for complying with the accessibility standards?

Ms. Jessica McDonald: Not yet.

Mrs. Rosemarie Falk: Do you know when that would be expected?

Ms. Jessica McDonald: Well, there will be a tremendous amount of work—which was what I was trying to avoid saying, but it's true —*involved in assessing all of our physical infrastructure. We have* that under way. We are just beginning to look at how to dive into the entire system, from retail outlets to our transportation to our internal logistical systems and headquarters.

Mrs. Rosemarie Falk: Is there an estimation of how long that is going to take?

Ms. Jessica McDonald: No, I honestly can't answer that question. I wish I could.

What I'd like to tell you is that in principle it's a huge priority for us, but it's just a tremendous amount of work, given the scale of Canada Post's operations. As I say, it's one key reason that we need a director who is able to plot out an entire road map and get timelines against it. We'll be very happy to transparently report what that work plan is and what timelines are associated with it.

The main thing I want to convey to you is what a significant priority this is for us. I'm sorry that I can't answer all the questions at this very early stage.

Mrs. Rosemarie Falk: Thank you.

The Chair: Thank you very much.

MP Sangha, you have six minutes.

Mr. Ramesh Sangha (Brampton Centre, Lib.): Thank you, Chair.

My questions will be mostly regarding the Human Rights Commission, and either Madame Landry or Madame Daye can answer my questions.

As chair of the Human Rights Commission, the human rights organization involved in accessibility issues, you are already dealing with complaints from persons with disabilities. I think more than 60% of complaints come to you regarding disabled parties. In dealing with those complaints, you are not able to give them full relief, because some of the accessibility standards were not met and you are not able to provide better results.

Do you think now with the implementation of Bill C-81 that you will perform those duties better and be able to give better progress reports? Will accessibility standards be better met than before?

Ms. Marie-Claude Landry: I think it's complementary. We have the complaint process, and it has addressed some problems, but the thing with the bill is it's proactive. It's going to bring forward a completely different way to address systemic situations of accessibility or lack of accessibility. For me, the fact that it's under the Canadian Human Rights Commission and act will give us a broader and larger set of tools to address accessibility.

● (1005)

Mr. Ramesh Sangha: Ms. Daye, do you want to add something?

Ms. Marcella Daye: I can give more details and perhaps a story.

The way the system works now is that people who have been discriminated against have to file complaints and then get individual remedies. That is the only complaint process that exists right now. If *100 people fail to get into a building, 99 will leave and one might* have the wherewithal to file a complaint and get a resolution. Sometimes those resolutions result in systemic changes, but sometimes they are individual remedies.

What this act will do is give us two new tools. Number one, it will require organizations to change things, so that hopefully 100 people can get into that building and there is no need for a complaint. The requirements for compliance have teeth, and that goes back to the inspection powers. We can inspect, and we can make judgements on whether someone is meeting a standard or not. If they are not, they can be found in violation, and they can face large fines if they are in violation. It is an encouragement to do better.

The new system also creates a complaint process. Let's say somebody, maybe that 99th or 100th person, tries to get in, but they still can't get in. What they discover is that the organization has not implemented the standard. In the new system, there's only one type of complaint, and that's a complaint over a standard not being implemented. The resolution of that complaint is to implement the standard and remedy the harm.

It gives us two robust new tools to identify and address issues. It places less of a burden on those 99 people who couldn't get in and less of a burden on the one person who had to shoulder the complaint under the act.

Mr. Ramesh Sangha: When we talk about development and implementation of accessibility standards, I have already heard here that you try to have consultations and that you get better information from the general public. Do you think Bill C-81 will provide better provisions for bringing the regulatory changes, or is it better to get it from the general public?

Ms. Marcella Daye: I would say this bill has excellent provisions. These provisions require every regulated entity to consult with both their employees with disabilities and members of the public. They must consult as they develop their accessibility plans, as they develop their feedback mechanisms, and as they issue their progress reports. This means that somebody doesn't even have to try to get into the building in order to discover there's a problem; they can be part of an accessible advisory council and help identify the problems at the front end.

The role of persons with disabilities is seen now as more of providing an expert body to assist in developing good regulations. In fact, the requirement for CASDO to include people with disabilities as half of the members will help ensure that standards and regulations are created with those persons with disabilities and their lived experience baked right in. These are very strong developments that will help the system.

Mr. Ramesh Sangha: That means that the battle to have the consultation from the public and standards laid down by the section —both of them will help.

Ms. Marcella Daye: I'm sorry; I don't think I understood—

Mr. Ramesh Sangha: The standards that are going to be laid down in Bill C-81 and information that you get from the public will both be helpful for making improvements.

Ms. Marcella Daye: Both will be helpful, and both will be built with the voices of persons with disabilities built right in. It gives effect to the mantra in the United Nations convention on persons with disabilities, "nothing about us without us".

Mr. Ramesh Sangha: Thank you.

The Chair: Thank you.

MP Diotte, you have five minutes, please.

Mr. Kerry Diotte (Edmonton Griesbach, CPC): Thank you, Mr. Chair.

Thanks to all the people at the committee here today.

This is for Ms. Laroche. You're talking about hiring basically 5,000 people with disabilities. Will there be an attempt to have a balance of disabilities? In other words, I mean people with visual impairment, mental disabilities, mobility disabilities and maybe episodic disabilities. Will that attempt be made?

● (1010)

Ms. Yazmine Laroche: Thank you so much for the question.

I'll start off with a general comment, and then ask my colleague Carl to provide a bit more detail.

Certainly there's no intention, as we're developing the strategy to bring in 5,000 new employees, to focus on any one group. The idea is to attract many great potential public servants with disabilities without focusing on any one area.

One of the challenges to doing that, and it's something that our colleagues at the Public Service Commission are working on, is how to make sure that your actual recruitment tools—going out to search for people—are as accessible as possible for people suffering from a range of different disabilities.

Carl, I don't know if you have any other details you want to give on the 5,000.

Mr. Carl Trottier (Assistant Deputy Minister, Governance, Planning and Policy Sector, Office of the Chief Human Resources Officer, Treasury Board Secretariat): I don't have a whole lot, but I have a few points.

There should be no distinction made in terms of who it is that is being recruited. It's a broad effort to try to attract 5,000 new employees with disabilities between now and 2025.

This is embryonic work right now. We are working with the Public Service Commission on devising how we're going to go about attracting approximately 1,000 persons per year.

It's a bit early to give the details of how the approach is going to be, but there's definitely no intent to have distinctions made among the disabilities.

Mr. Kerry Diotte: I guess that's to say that all people with all disabilities will be looked upon, including people with episodic disabilities. They're all going to be reached out to.

Mr. Carl Trottier: Yes.

Mr. Kerry Diotte: I'm assuming that there would also be a gender balance and also indigenous people and visible minorities. Is there going to be any special effort in that regard?

Ms. Yazmine Laroche: Thank you again for the question that you're raising.

When you look at some of the data on where disability happens, we do see a prevalence among indigenous Canadians, for example. It's really important that our outreach efforts are taking into account regional distribution and gender and of course also looking at our indigenous peoples.

Mr. Kerry Diotte: Thank you.

This is for Ms. McDonald from Canada Post.

I know it's very early on in the game here, but I think we most often think of barriers as being a lack of wheelchair ramps and automatic doors.

Can you paint a picture about what other possible barriers could exist throughout your 6,200 post offices?

Ms. Jessica McDonald: Sure. I think they could be everything from how we communicate to how we present ourselves so that if we have not thought of what someone's challenge might be, they feel welcome asking for support.

I think when you mention being accessible to wheelchairs and having doors that are able to open, you're probably referring to other very basic physical infrastructure. I think we've all come to understand and know when we see it that it is making an effort toward ensuring we are accessible to those where we can build two standards and fit out two standards that are accepted for meeting people with disabilities that we can recognize.

I think what I'm looking forward to understanding more is really the depth in society, particularly as people age, and as we become more accepting and supportive in general of non-visible disabilities so that we start to understand how we can build our own standards and how we present ourselves so there is a better service standard for accessibility.

● (1015)

Mr. Kerry Diotte: Do you have any more specifics? We all know that if somebody in a scooter comes up, the counter should be a certain height and the door should open. What other disabilities are your outlets having to deal with?

The Chair: Could we have a very brief answer, please?

Ms. Jessica McDonald: I feel as though I may be missing your question, but I want to say it's as basic as understanding there can be a broad range of challenges that people may have that are not visible and that you can't necessarily build for or expect standards to automatically be adapted to. Rather, how we present ourselves can encourage people to tell us what their challenge is and how we can support them as a service provider.

I personally approach this by being open-minded and by understanding that we probably have less representation in our workforce than we are even aware of in terms of the people who will self-report as having challenges. The same thing is true for the society we serve.

What we need first and foremost are people with lived experience. We need as well to represent ourselves in such a way that customers will come forward so we can truly understand the adaptations and service approaches they want.

The Chair: Thank you very much.

MP Hardcastle, go ahead for three minutes, please.

Mr. Kerry Diotte: Thank you.

Ms. Cheryl Hardcastle: Thank you.

I will try to talk slowly for the interpreters, but I might have to go fast.

I want to talk about the accountability. The federal government is the largest employer. It's going to be the most affected by Bill C-81. It's the largest organization that is going to have to obey the legislation, but at the same time, the key agencies that do enforcement and oversight are going to have to report to the federal government. I see that as being problematic.

I know there are probably ways we can strengthen the bill. How can we make these agencies more independent? Instead of reporting to the federal government, should they be reporting to Parliament, or have you already anticipated this? What are the ways we can make sure these agencies are operating in an independent manner?

Ms. Yazmine Laroche: I'm not sure that I can answer that question. It's a really good question. I'm representing the public service as one of the entities that will be governed by the bill, so I'm not responsible for the policy decisions and what's being debated right now as the bill works its way through the legislative process as to how the machinery and mechanics of the different oversight bodies work together.

I can say from our perspective that we in the Public Service of Canada—meaning all government departments and agencies—will be required to develop multi-year accessibility plans, which are provided for in the legislation. That becomes our accountability mechanism. That sets out what each organization is going to do under each of those six pillars to make the workplace environment better for people—not just public servants, but Canadians with disabilities.

What's so interesting about those multi-year accessibility plans is that they are all in the spirit of "nothing about us without us". Those multi-year accessibility plans aren't just going to say, "Here's what we're going to do." They also require us to say, "How did you engage people with lived experience in designing these plans?" They also provide for a feedback mechanism on our own implementation of the plans. What I find so powerful about that is that it means that people with lived experience will be contributing not just to the design of the plans, but also to telling us how good we are at implementing them.

From the perspective of the public service as one of the entities being covered by the legislation, I'm very pleased with the way those multi-year accessibility plans were designed.

Maybe my colleagues want to talk about—

● (1020)

The Chair: Sorry, but we need to move on. Maybe there will be another opportunity.

That brings us to the end of the second round, but we probably have enough time for a microround of one question from each side. Please keep it to about two minutes, because we need to break for committee business before we rise today.

John, go ahead.

Mr. John Barlow: Thank you very much, Mr. Chair.

My question is for Ms. McDonald.

You were talking briefly in answer to some of the other questions about the impact this could have on some of your postal outlets. We know how important some of these rural outlets are to the rural communities. If they lose their post office, it would be a real detriment to those communities.

Clause 91 of the bill sets a maximum penalty of $250,000 with respect to violations of regulations. On Tuesday we asked the minister where the revenue from those infractions would go, and she said it would be going to government's general revenue.

Would you support an amendment that those fines would go into an enabling accessibility fund that federally regulated private sector businesses could access to help fund some of the changes they would have to make at some of their facilities to comply with the new legislation?

Ms. Jessica McDonald: That's a very interesting question. Thank you.

Speaking from my role at Canada Post, I would like to think that Canada Post can give support to those outlets and facilities that partner with us so that we can be successful together. As I've said, the contracts that we have are already very specific about how the dealer will fit out their equipment, furnishings, signs, etc. We understand that in rural areas, where I've lived a lot of my life as well, these can be very small, multitask outlets that don't have a lot of budget flexibility, but if we're doing our job well at Canada Post in working with those retail outlets and recognizing their circumstances, we could work successfully to support them in meeting the standards.

Mr. John Barlow: Do you support that amendment to have that fund available so you or some of these outlets could access it, rather than have it just go into general revenue?

Ms. Jessica McDonald: I don't know that I would say from Canada Post's perspective that we would need such an amendment in order to be successful with our partners.

Mr. John Barlow: Thank you.

The Chair: Go ahead, Wayne.

Mr. Wayne Long: Mr. Chair, thanks again.

I want to start by saying thank you to our interpreters for doing a wonderful job, as they have always done.

I want to get your opinion about board composition. I know CASDO recommends a majority of persons with disabilities on the board. We had a visitor yesterday in our office who proposed a higher percentage of people with disabilities on the board of CASDO.

Could each of you give me your opinion on how that board should be composed? Should it be 50% plus one, 70%, 100%?

Ms. Jessica McDonald: That is another very thoughtful question.

I do think that representation from interests and lived experience and personal background needs to show the broadest diversity possible. I'm struggling to answer your question because to put a specific number is difficult, but I think—

Mr. Wayne Long: There are those who say it should be 100%—

Ms. Jessica McDonald: Yes, I know.

Mr. Wayne Long: —but there is also a balance.

Ms. Jessica McDonald: Perhaps 50%....

Ms. Yazmine Laroche: I'll just share an anecdote with you, if I may. It's a great question.

Over the last year some really interesting articles and reports have come out about board diversity more generally. The thing that really strikes me about them is that when they talk about the underrepresented groups on boards—and this is whether public, not-for-profit, or private—they talk about women, visible minorities, and once in a while indigenous people. They never include people with disabilities. We're not even visible enough to be counted among the disadvantaged. Do you know what I mean?

Again, this is a personal view.

Mr. Wayne Long: Sure.

Ms. Yazmine Laroche: Just the fact that there is a recognition that people with disabilities need to be represented, particularly on bodies that are serving them, is a great start.

● (1025)

The Chair: Thank you very much.

Sorry, Mr. Long; I have to cut you off there.

MP Hardcastle, you have just under two minutes.

Ms. Cheryl Hardcastle: Okay. I have the same question. Thank you. I am trying to save time.

Ms. Marie-Claude Landry: Yes, absolutely. Thank you for your question, and I will answer in French, if I may.

[*Translation*]

At the Canadian Human Rights Commission,

[*English*]

we are at arm's length from government.

[*Translation*]

We report to Parliament, either through our special power to report to Parliament or though our annual report.

We are the national human rights institution, and we have the power to report on the government's performance on implementing various legislation.

To answer your question, there are mechanisms for us to report effectively on the government's performance, by way of either a special report to the government or our annual report. We can also do this in the report on the country's performance that we make to the United Nations as the national human rights institution, or through the national monitoring mechanism, the NMM, which will be our role.

I hope I have answered your question.

[*English*]

The Chair: Thank you.

I think that brings us to the close.

I want to thank all of the witnesses. I think my colleagues and I had quite a bit of information to digest today.

I do, unfortunately, have to ask that you vamoose fairly quickly. We have committee business and we do need to go in camera, so I will suspend.

Thank you very much, everybody.

[*Proceedings continue in camera*]

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